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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,715	04/21/2004	Jeffrey S. Bonwick	03226.396001; P9040	4767

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HOUSTON, TX 77010

EXAMINER

LAMARRE, GUY J

ART UNIT	PAPER NUMBER
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2133

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/828,715

Applicant(s)

BONWICK ET AL.

Examiner

Guy J. Lamarre

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-27 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- Pursuant to 35 USC 131, **Claims 1-27** are presented for examination.

Claim Objections

0. **Claim 2 line 2:** It is not clear to the Examiner whether '1st indirect block' of **instant claim** is same as that of **Claim 1**.

Claim 16 shall end in a period.

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Claim 19 line 2 shall read 'and a first indirect...' instead of 'and [the] first indirect...'

Claim 27 line 2 shall read 'a data block and a first indirect...'

Appropriate correction is required.

Claim Rejections - 35 USC ' 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.1 **Claims 1, 3-27** are rejected under 35 U.S.C. 102 (b) as being anticipated by **Reynolds** (US PGPub # 2002/0055942; published may 2002).

As per Claims 1, 3-27, Reynolds discloses equivalent data formatting/structure for data storage/transfer/node system comprising data block storing in a storage medium (paras. 51-52: 1st sentences), data block checksum computation/storing in said storage medium (para. 59: penultimate sentence), checksum identifying/indexing via checksum differentiation wherein checksum differentiation allows for separating checksums of original file and other file duplicates (para. 59: penultimate sentence), storage allocation/controller/manager for data block transfer/storage operations in a storage medium comprising direct data addressing/pointing (e.g.,

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in file allocation table or data frame field at para. 60) and indirect data addressing via file association/address/birth value offset (e.g., para. 64), said storage medium capable of data block partitioning via metaslabs (para. 64) along with metaslab (para. 64) pointers/Ids.

Allowable Subject Matter

3. **Claim 2** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3.1 The following is an examiner's statement of reasons for allowance:

The prior art of record is as exemplified by **Reynolds** (US PGPub # 2002/0055942; published May 2002), **Wortley et al.** (USPN 4422171) and **Garcia et al.** '*Checksum-based loss differentiation*,' 4th International Workshop on Mobile and Wireless Communications Network; 9-11 Sept. 2002, page(s): 244 - 248.

Reynolds discloses a data storage/transfer system wherein checksum comparison allows differentiation of original data for reproduced/alterd original data.

Wortley et al. discloses a data transfer system wherein comparison of checksums via a CRC function in plural data frames allows a correlation to be established between received information and original information, e.g., at Figs. 3-5, 9.

Garcia et al. discloses a data transfer system wherein comparison of types of checksums at plural layers in a communications stack allows for appropriate corrective actions to be effected, e.g., at page 246.

However these references do not teach or suggest alone or in combination: calculating 1st indirect block checksum and storage of said 1st indirect block checksum in 2nd indirect block as claimed and configured.

3.2 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

* Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (571) 273-8300 for all formal communications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (571) 272-3826. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3609.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Guy J. Lamarre, P.E.
Primary Examiner
12/20/2006
